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CONFIRMATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO. 15270-005913 9560 09/724,953 11/28/2000 Dale B. Schenk EXAMINER 20350 7590 07/12/2004 TOWNSEND AND TOWNSEND AND CREW, LLP NICHOLS, CHRISTOPHER J TWO EMBARCADERO CENTER ART UNIT PAPER NUMBER **EIGHTH FLOOR** SAN FRANCISCO, CA 94111-3834 1647

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication		Application No.	Applicant(s)		
		09/724,953	SCHENK, DALE B.		
		Examiner	Art Unit		
		Christopher J Nichols, Ph.D.	1647		
The MAILING DATE of this communication appears on the cover sheet with the correspondence address –					
 In the amendment filed on 27 May 2004 under 37 CFR 1.312 has been considered, and has been: a) In the amendment filed on 27 May 2004 under 37 CFR 1.312 has been considered, and has been: 					
b) 🗌	b) entered as directed to matters of form not affecting the scope of the invention.				
.c) 🗌	disapproved because the amendment was filed after the payment of the issue fee. Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.				
d) 🗌	disapproved. See explanation below.				
e) 🗌	entered in part. See explanation below.				
No patentability issues have been raised by the Amendment under 37 C.F.R. 1.312 filed 27 May 2004.					
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher James Nichols, Ph.D. whose telephone number is (571) 272-0889. The examiner can normally be reached on Monday through Friday, 8:00 AM to 6:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback can be reached on (571) 272-0961. The fax number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).					
CJN July 6, 2004 **The plant of the plant o					